

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) (Ins) No.405 of 2020**

**IN THE MATTER OF:**

**Sameer Das**

**...Appellant**

**Versus**

**Radstad India Pvt. Ltd. & Anr.**

**...Respondents**

**For Appellant:                    Shri Dhawal Deshpande, Advocate**

**For Respondents:                Shri Chitranshul Sinha, Advocate (R-1)**  
**Shri Rajendra Gupta, RP**

**ORDER**

**23.06.2020**            Advocate - Shri Dhawal Deshpande for the Appellant states that in this matter, there is already settlement between the Operational Creditor and the Corporate Debtor. It is stated that already the matter was taken up before COC (Committee of Creditors) and has already been approved and Application under Section 12A of Insolvency and Bankruptcy Code, 2016 for withdrawal of the original Application CP (IB)- 1532(ND)/2019 has already been filed before Adjudicating Authority (National Company Law Tribunal, New Delhi, Court - III) but yet to be taken up. Counsel for the Appellant - Shri Dhawal Deshpande submits that in view of these developments, the Appeal may be disposed of as withdrawn. The learned Counsel for the Operational Creditor – Shri Chitranshul Sinha also states that the dispute between the parties has already been settled and withdrawal Application has already been moved. Shri Rajendra Gupta appears for the IRP and he also confirms the above.

We request the Adjudicating Authority to urgently take up the Withdrawal Application stated to be filed and pass Orders as per law.

For above reasons, on request, the Appeal is disposed of as withdrawn in view of the developments stated.

[Justice A.I.S. Cheema]  
Member (Judicial)

(Justice Venugopal M.)  
Member (Judicial)

[Kanthi Narahari]  
Member (Technical)

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